

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**METHOD FOR EARLY PREDICTION OF THE ONSET OF INVASIVE CANCER**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on September 26, 2000 as United States Application No. or PCT International Application Number PCT/US00/26551 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
PCT/US00/26551	26 September, 2000	Pending
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

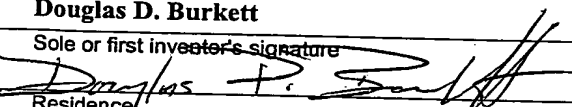
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**William H. Drummond, Reg. 20,590**

**David G. Duckworth, Reg. 39,516**

Send Correspondence to: **DRUMMOND & DUCKWORTH**  
**5000 Birch Street, Suite 440**  
**East Tower**  
**Newport Beach, CA 92660**

Direct Telephone Calls to: *(name and telephone number)*  
**William H. Drummond. Telephone: (949) 724-1255**

Full name of sole or first inventor <b>Douglas D. Burkett</b>	
Sole or first inventor's signature 	Date <b>4/26/02</b>
Residence <b>942 South Coral Key Court, Gilbert, Arizona 85233, USA</b>	
Citizenship <b>USA</b>	
Post Office Address <b>Same as above</b>	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

MARCH 13, 2001

DRUMMOND & DUCKWORTH  
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PTAS



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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/26/2000

REEL/FRAME: 011383/0007  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BURKETT, DOUGLAS D.

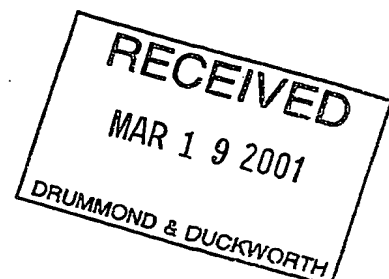
DOC DATE: 06/27/2000

ASSIGNEE:  
ZILA, INC.  
5227 NORTH SEVENTH STREET  
PHOENIX, ARIZONA 85014

SERIAL NUMBER:  
PATENT NUMBER:  
PCT NUMBER: US0026551

FILING DATE:  
ISSUE DATE:

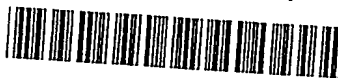
MARY BENTON, EXAMINER  
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01-04-2001

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings:



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To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):  
**DOUGLAS D. BURKETT**

*Handwritten signature: D.D.B. 9.26.00*

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: **JUNE 27, 2000**

2. Name and address of receiving party(ies):

Name: **ZILA, INC.**

Internal Address: \_\_\_\_\_

Street Address: **5227 NORTH SEVENTH STREET**

City: **PHOENIX** State: **AZ** ZIP: **8501**

Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: **SEPT. 26, 2000**

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **WILLIAM H. DRUMMOND**

Internal Address: **DRUMMOND & DUCKWORTH**

10/02/2000 AGIZAW 00000168 PCT/US00/26551

01 FC:581

40.00 DP

Street Address: **4590 MACARTHUR BLVD., SUITE 500**

City: **NEWPORT BEACH** State: **CA** ZIP: **92660**

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ **40.00**

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

**William H. Drummond**

Name of Person Signing

Total number of pages including \_\_\_\_\_

Signature *[Handwritten Signature]*

September 26, 2000

## ASSIGNMENT

In consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Douglas D. Burkett an individual, hereby sells and assigns to Zila, Inc., a Delaware corporation, its successors and assigns, the entire right, title and interest in and to the improvements described and claimed in International Patent Application entitled "METHOD FOR EARLY PREDICTION OF THE ONSET OF INVASIVE CANCER", (Drummond & Duckworth File No: 344-P-32), and in and to any and all applications for patent and patents therefor in any and all countries, including all divisions, reissues, continuations and extensions thereof, and all rights of application and foreign priority corresponding thereto, and authorizes and requests any official whose duty it is to issue patents, to issue any patent on said improvements or resulting therefrom to said Zila, Inc., its successors and assigns, and agrees that on request and without further consideration, but at the expense of said Zila, Inc., I will communicate to said Zila, Inc., or its representatives or nominees, any facts known to me respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid Zila, Inc. its successors, assigns and nominees, to obtain and enforce proper patent protection for said invention in all countries. Douglas D. Burkett covenants with said Zila, Inc., its successors and assigns, that the rights and property hereby conveyed are free and clear of any encumbrance, and that I have

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full right to convey the same as herein expressed.

By *Douglas D. Burkett*  
Douglas D. Burkett

State of Arizona )  
County of Maricopa ) s.s  
\_\_\_\_\_ )

On June 27, 2000, before me, *Cheryl L. McCabe-Woodard*,  
Notary Public, appeared Douglas D. Burkett, proved to me on the basis of satisfactory  
evidence OR personally known to me to be the person whose name is subscribed to the  
within instrument and acknowledged to me that he executed the same in his authorized  
capacity, and that by his signature on the instrument the person, or the entity upon behalf of  
which the person acted, executed the instrument.

Subscribed and sworn to before me on June 27, 2000.

(Seal)

*Cheryl L. McCabe-Woodard*  
Notary Public

